

MUNICIPAL BUILDING, MOBILE, ALABAMA, SEPTEMBER 24, 2024

The Council of the City of Mobile, Alabama, met in the City Council’s Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday, September 24, 2024, at 9:00 a.m.

Councilmembers:

Present: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Absent: None

The meeting was called to order. The Council reviewed and discussed the agenda for their meeting to be held today at 10:30 a.m.

Approved:

COUNCIL PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, SEPTEMBER 24, 2024

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Government Plaza on Tuesday, September 24, 2024, at 10:30 a.m., for the regular meeting.

The meeting was called to order by the City Clerk.

Tony Legear, Public Safety Chaplain, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman: Small
Vice-Chairman: Gregory
Councilmembers: Penn, Carroll, Reynolds, Daves and Woods
Absent: None

STATEMENT OF RULES BY PRESIDING OFFICER

The Presiding Officer provided an overview of the City Council’s Rules of Procedure.

APPROVAL OF MINUTES

Minutes of the meetings of September 10 and 17, 2024, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR

James Barber, Chief of Staff, said that the household hazardous waste event last Saturday was a great success.

James Barber said that the College Ain’t for Everyone (C.A.F.E.) Breakthrough teens program at the Springhill Community Center was well attended.

James Barber read a proclamation declaring September 24, 2024, as “Mercy Day” in Mobile.

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The following employees were presented as Employee of the Month:

Britney Dunn, Public Works Public Services Maintenance
Jonatham Schmaeling, Administrative Services Animal Services Department
Martin Burrow, City Clerk's Office

MONTHLY FINANCE REPORTS

Richard Moore, Finance Executive Director, provided the August 2024 finance report.

ADOPTION OF THE AGENDA

Councilmember Daves moved to adopt the agenda, which was seconded by Councilmember Penn and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the agenda adopted.

APPEALS

Request of Pastor Montgomery Portis for a waiver of the Noise Ordinance at 1012 Adams Street on October 12, 2024, from 9:00 a.m. – 4:00 p.m. (District 2).

Councilmember Reynolds moved to grant the waiver, which move was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the waiver granted.

Request of Raymond Mitchell for a waiver of the Noise Ordinance at 965 Elmira Street on October 31, 2024, from 4:00 p.m. – 10:00 p.m. (District 2).

Councilmember Reynolds moved to grant the waiver, which move was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the waiver granted.

Request of Shane Prickett for a waiver of the Noise Ordinance at 5359 Timberlane Court on October 26, 2024, from 7:00 p.m. – 9:30 p.m. (District 4).

Councilmember Reynolds moved to grant the waiver, which move was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the waiver granted.

PUBLIC HEARINGS

PUBLIC HEARING TO CONSIDER PRE-ZONING OF PROPERTY LOCATED AT 4589 HERMITAGE AVENUE AND 5340 U.S. HIGHWAY 90 WEST TO B-3 (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to consider the pre-zoning of property located at 4589 Hermitage Avenue and 5340 U.S. Highway 90 West to B-3 and asked if there was anyone present to speak for or against this matter.

No one appeared.

The Presiding Officer declared the hearing concluded and that the necessary ordinance authorizing the proper action would be introduced later in the meeting.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL

NON-AGENDA ITEMS:

Kevin Johnson, 3650 Mossleigh Street, Asked that the duration of the traffic light on the Airport Boulevard side of Yester Oaks Apartment be changed.

John Robb, 308 Wacker Lane, Requested remedial action concerning the Mobile Tree Commission.

Melissa Gates, 1280 Rigby Road, Comments about public safety and library funding.

Linda Poiroux, 13095 Tanner Williams Road, Comments about funding to the public library.

Beverly Stephens, 2700 B Wilmer Road, Concerns about citizen safety in Mobile.

Sabrina Mass, 1050 Belvedere Circle West, Addressed library issues.

Michael Woodward, 4200 Rollins Avenue, Presented the Jacksonville, Florida model in order to stop the decline of the population in Mobile.

AGENDA ITEMS:

Reggie Hill, 1007 Center Street, offered comments about Resolutions 14-775, 09-902, 31-908, 01-920, and 69-930.

ORDINANCES HELD OVER

ORDINANCE TO ANNEX CERTAIN PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF MOBILE. The following ordinance, which was introduced and read at the regular meeting of August 20, 2024 and held over until the regular meetings of August 27, and September 24, 2024 was called up by the Presiding Officer.

ORDINANCE: 83-049-2024

Sponsored by: Mayor Stimpson

WHEREAS, KD Tillmans Corner, LLC, an Alabama Limited Liability Company, is the owner of real property situated in the County of Mobile located at 4589 Hermitage Avenue and 5344 Highway 90 W, said property being described as follows:

THE WESTERN PORTION OF LOTS 6 & 7, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 5, PAGES 295-300 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA AND THE WESTERN PORTION OF LOT 1, RESUBDIVISION OF LOT 8 AND A PORTION OF LOT 9, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 113, PAGE 77 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY,

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ALABAMA;

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CAPPED REBAR (POLY) AT THE SOUTHWEST CORNER OF LOT 1, RESUBDIVISION OF LOT 8 AND A PORTION OF LOT 9, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 113, PAGE 77 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN NORTH 89°-56'-02" EAST ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 177.47 FEET TO A CAPPED REBAR (POLY) AT THE NORTHWEST CORNER OF LOT 2 OF SAID RESUBDIVISION OF LOT 8 AND A PORTION OF LOT 9, BLOCK 1, SUBURBAN GARDENS; THENCE RUN NORTH 00°-58'-21" EAST A DISTANCE OF 299.53 FEET TO THE NORTH LINE OF LOT 6, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 5, PAGES 295-300 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN SOUTH 89°-55'-33" WEST ALONG THE NORTH LINE OF SAID LOT 6 A DISTANCE OF 126.31 FEET TO A 60d NAIL IN A ROOT; THENCE RUN SOUTH 89°-55'-49" WEST ALONG THE NORTH LINE OF SAID LOT 6 A DISTANCE OF 199.76 FEET TO A 1" OPEN TOP PIPE AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE RUN SOUTH 00°-05'-56" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF HERMITAGE AVENUE (50' R/W) AND ALONG THE WEST LINE OF SAID LOT 6 AND ALONG THE WEST LINE OF LOT 7, BLOCK 1 OF SAID SUBURBAN GARDENS A DISTANCE OF 199.86 FEET TO A CAPPED REBAR (POLY) AT THE SOUTHWEST CORNER OF SAID LOT 7; THENCE RUN NORTH 89°-53'-32" EAST ALONG THE SOUTH LINE OF SAID LOT 7 A DISTANCE OF 143.23 FEET TO A CAPPED REBAR (POLY) AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE RUN SOUTH 00°-02'-00" WEST ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 99.68 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 1.90 ACRES, MORE OR LESS.

WHEREAS, KD Tillmans Corner, LLC has submitted a Petition for Annexation asking that the above-described property be annexed to and become a part of the City of Mobile; and,

WHEREAS, said Petition contained the signatures of all of the owners of the described property and a map of said property showing its relationship to the corporate limits of the City of Mobile; and,

WHEREAS, the property that is the subject of the Petition for Annexation is contiguous to the corporate limits of the City of Mobile, and does not lie within the corporate limits of any other municipality; and,

WHEREAS, the City Council of the City of Mobile has determined that it is in the public interest that said property be annexed to the City of Mobile and the Council has further determined that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24 of the Code of Alabama.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, as follows:

1. That the City Council of the City of Mobile finds and declares as the legislative body of the City that it is in the best interests of the citizens of the City, and the citizens of the affected area, to bring the territory described in paragraph 2 of this Ordinance into the corporate limits of the City of Mobile.

2. That the boundary lines of the City of Mobile be, and the same hereby are, altered and rearranged so as to include all the property hereto before encompassed by the corporate limits of the City, and in addition thereto the following described property, to-wit:

THE WESTERN PORTION OF LOTS 6 & 7, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 5, PAGES 295-300 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA AND THE WESTERN PORTION OF LOT 1, RESUBDIVISION OF LOT 8 AND A PORTION OF LOT 9, BLOCK

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1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 113, PAGE 77 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA;

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CAPPED REBAR (POLY) AT THE SOUTHWEST CORNER OF LOT 1, RESUBDIVISION OF LOT 8 AND A PORTION OF LOT 9, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 113, PAGE 77 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN NORTH 89°-56'-02" EAST ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 177.47 FEET TO A CAPPED REBAR (POLY) AT THE NORTHWEST CORNER OF LOT 2 OF SAID RESUBDIVISION OF LOT 8 AND A PORTION OF LOT 9, BLOCK 1, SUBURBAN GARDENS; THENCE RUN NORTH 00°-58'-21" EAST A DISTANCE OF 299.53 FEET TO THE NORTH LINE OF LOT 6, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 5, PAGES 295-300 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN SOUTH 89°-55'-33" WEST ALONG THE NORTH LINE OF SAID LOT 6 A DISTANCE OF 126.31 FEET TO A 60d NAIL IN A ROOT; THENCE RUN SOUTH 89°-55'-49" WEST ALONG THE NORTH LINE OF SAID LOT 6 A DISTANCE OF 199.76 FEET TO A 1" OPEN TOP PIPE AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE RUN SOUTH 00°-05'-56" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF HERMITAGE AVENUE (50' R/W) AND ALONG THE WEST LINE OF SAID LOT 6 AND ALONG THE WEST LINE OF LOT 7, BLOCK 1 OF SAID SUBURBAN GARDENS A DISTANCE OF 199.86 FEET TO A CAPPED REBAR (POLY) AT THE SOUTHWEST CORNER OF SAID LOT 7; THENCE RUN NORTH 89°-53'-32" EAST ALONG THE SOUTH LINE OF SAID LOT 7 A DISTANCE OF 143.23 FEET TO A CAPPED REBAR (POLY) AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE RUN SOUTH 00°-02'-00" WEST ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 99.68 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 1.90 ACRES, MORE OR LESS.

Property address: 4589 Hermitage Avenue
 Mobile, Alabama 36619

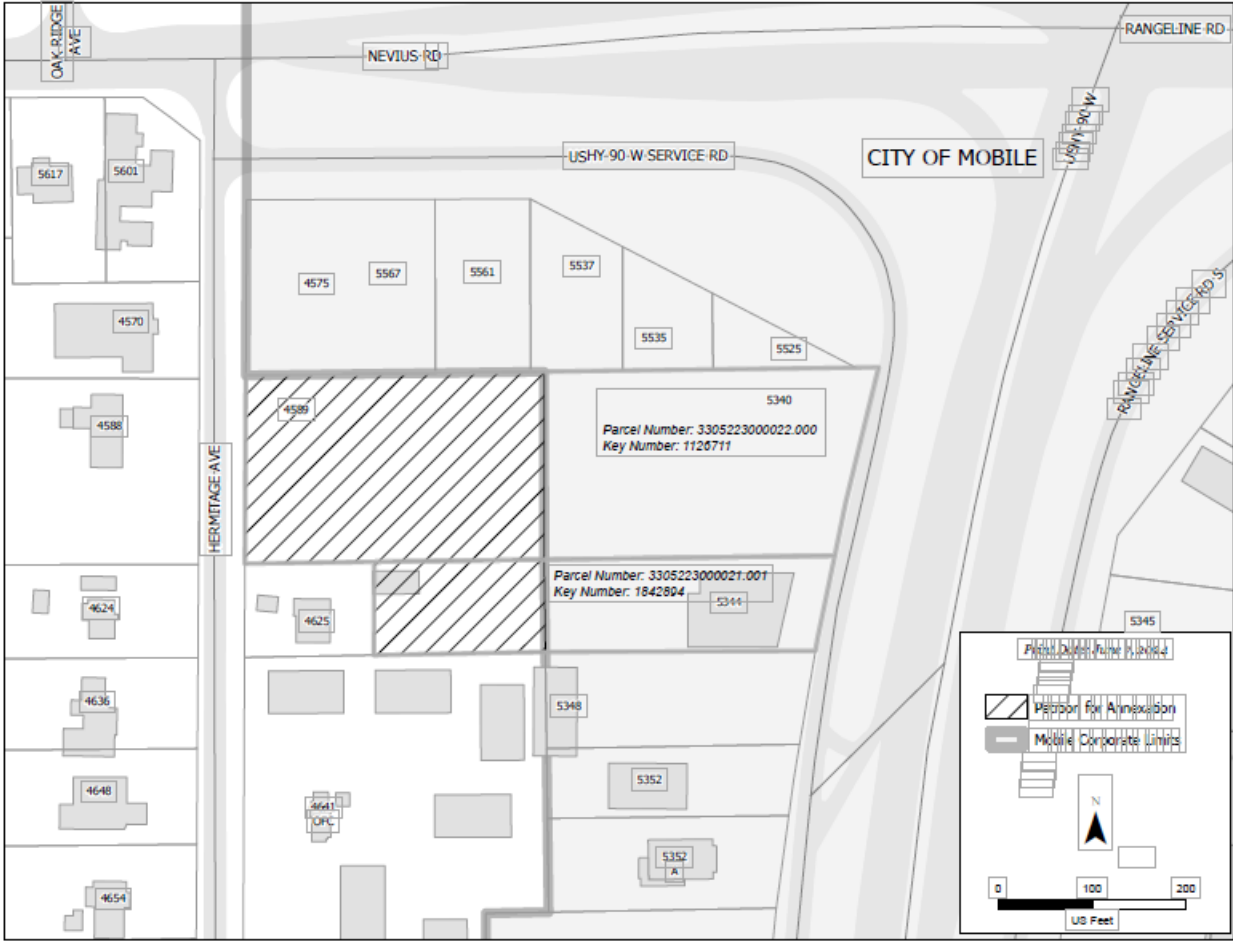
Parcel number: 3305223000022.000

Key number: 1126711

A map depicting the property to be annexed is attached hereto and incorporated herein. In the event of a conflict between the attached map and the written description of the property described above, the depiction of the property on the attached map shall control and be given effect.

3. This Ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the Petition of the property owner, shall be filed with the Probate Judge of Mobile County, Alabama.

4. The property described in this Ordinance shall become a part of the corporate limits of the City of Mobile upon publication of this Ordinance as set forth in paragraph 3.



The ordinance was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the ordinance, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the ordinance adopted.

CIP RESOLUTIONS HELD OVER

AUTHORIZE AGREEMENT WITH J. PAYNE ORGANIZATION, LLC FOR STRUCTURAL RETAINING WALL AND GRADING IMPROVEMENTS AT SULLIVAN PARK; \$139,230.00. The following resolution, which was introduced and read at the regular meeting of September 17, 2024, and held over until the regular meeting of September 24, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-898-2024

Sponsored by: Councilmember Carroll and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement, by and between the City of Mobile, and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of company: J. Payne Organization, LLC

Project name: CIP Sullivan Park – Structural Retaining Wall and Grading Improvements

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Project number: PR-020-22
Amount: \$139,230.00

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

RESOLUTIONS HELD OVER:

APPROVE AN APPLICATION SEEKING PERMISSION TO INCORPORATE A CAPITAL IMPROVEMENT COOPERATIVE DISTRICT AND AUTHORIZING SUCH INCORPORATION. The following resolution, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meetings of August 20, September 3, and September 24, 2024, was called up by the Presiding Officer.

RESOLUTION: 14-775-2024
Sponsored by: Councilmember Carroll

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA AS FOLLOWS:

Section 1: That the City Council, upon evidence duly submitted to and considered by it, hereby finds and determines that the following application has been duly filed with the governing body of the City of Mobile, that such application was signed by not less than three (3) natural persons, and that each of said persons is over the age of twenty-one (21) years and is a duly qualified elector of Mobile County, Alabama.

Section 2: That the City Council has reviewed and considered the foregoing application and has found and determined and does hereby find and determine as a matter of fact that it is wise, expedient, and necessary that the district be formed.

Section 3: That the City Council does hereby approve the proposed form of certificate of incorporation of the district attached to the foregoing application as hereinabove set forth.

Section 4: That the City Council does hereby grant permission to incorporate the district and does hereby authorize the persons making such application to form such district and file the attached certificate of incorporation in the Probate Court of Mobile County, Alabama.

Section 5: Upon proper incorporation and formation of the district, the City Council and the Mayor shall appoint directors for the district as set forth in the application and certificate of incorporation.

The resolution was read by the City Clerk, whereupon Councilmember Carroll moved to table the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution tabled.

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AUTHORIZE AGREEMENT WITH JAGUAR CONSULTING, LLC FOR MECHANICAL IMPROVEMENTS AT WEST REGIONAL LIBRARY; \$61,500.00. The following resolution, which was introduced and read at the regular meeting of September 17, 2024, and held over until the regular meeting of September 24, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-897-2024

Sponsored by: Councilmember Reynolds and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement, by and between the City of Mobile, and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of company: Jaguar Consulting, LLC

Project name: West Regional Library – Mechanical Improvements

Project number: LI-014-24

Amount: \$61,500.00

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDER TO TRUCK EQUIPMENT SALES, INC. TO PROVIDE AND INSTALL LANDSCAPER BODY ON CHEVROLET CHASSIS FOR PARKS DEPT.: \$26,760.00. The following resolution, which was introduced and read at the regular meeting of September 17, 2024, and held over until the regular meeting of September 24, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-901-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>13407</u>	2024	(F7000) MOTOR POOL	PROVDE AND INSTALL KNAPHEIDE PLB-12-B LANDSCAPER BODY ON CITY CHEVROLET 4500 CHASSIS FOR PARKS DEPARTMENT (PRICE BELOW BID REQUIREMENT)	\$26,760.00	<u>(208560) TRUCK EQUIPMENT SALES INC</u>

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The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE ESTABLISHING THE CITY OF MOBILE HOUSING IMPROVEMENT PLAN ENTERPRISE FUND; \$1,000,000.00. The following resolution, which was introduced and read at the regular meeting of September 17, 2024, and held over until the regular meeting of September 24, 2024, was called up by the Presiding Officer.

RESOLUTION: 09-902-2024

Sponsored by: Councilmember Carroll and Mayor Stimpson

WHEREAS, the City Council has found and determined that it is wise, expedient, and necessary to facilitate neighborhood revitalization through the acquisition, construction and rehabilitation of residential, mixed-use, commercial, and public projects; and,

WHEREAS, in addition, the City Council and Mayor of the City of Mobile have identified a public need for affordable, attainable and/or workforce housing due to the unprecedented nationwide increase in housing costs; and,

WHEREAS, the expenditure of funds through a revolving fund will serve a valid and sufficient public purpose; and,

WHEREAS, the City seeks to promote local economic and commercial development of the City; to promote the expansion and retention of business enterprise within the City; to increase employment in the City, especially for those residing in the City; to promote and develop for the public good and welfare, commerce, industry, and employment opportunities in the City; to increase tax revenue base of the City and property values of the City; and to promote the convenience, order, prosperity and welfare of its citizens. The increased revenues, additional economic activity, creation of new jobs and other benefits will directly benefit the City; and,

WHEREAS, federal housing funds the City receives are limited by federal statute which in many cases does not allow for the flexibility needed in responding to this urgent need; and,

WHEREAS, the City shall select a Pilot Project Area based on a needs assessment utilizing data such as quantity of blighted properties, quantity of boarded not blighted properties, leveraged funds such as federal funding and/or other local government funds, and poverty rates; and,

WHEREAS, the City of Mobile has seen a dramatic increase in business license revenues over the past decade and now wishes to establish an Enterprise Account for the City of Mobile Housing Improvement Plan in the amount of \$1 million to be expended on the Pilot Project Area, and whereas additional funds may be allocated in the future for other project areas within all Council districts of the City; and,

WHEREAS, the City after selecting the Pilot Project Area based on need and data shall utilize and amend any existing previously determined designation of blight such as Resolution No. 40-470, dated December 18, 2012, determining the MLK Heritage Neighborhood as blighted pursuant to Chapter 2 of Title 24 of the Code of Alabama 1975; and,

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WHEREAS, the City has multiple locations on the National Register of Historic Places that have been designated in an effort to recognize the neighborhood's historic significance such as those describing neighborhoods settled in the early nineteenth century by Free Persons of Color and Creoles, and later, its contribution to the Civil Rights movement in Mobile, including the Campground Historic District; and,

WHEREAS, the City has developed various reference planning documents that identify neighborhoods in need of revitalization including: the 2010 New Plan for Mobile and the 2015 Map for Mobile: A Framework for Growth; and,

WHEREAS, the Pilot Project aims to achieve the goals of the above referenced documents by providing funding to construct affordable and attainable housing; protecting, stabilizing and improving existing historic structures; removing blight and returning vacant or underutilized land to productivity; and, fostering economic and community development in an underserved community; and,

WHEREAS, the City desires to provide funding for these neighborhood revitalization activities within the Pilot Project Area, with the intent being that this project will serve as a model for future revitalization project areas elsewhere throughout the City; and,

WHEREAS, within the Pilot Project Area, the acquisition of vacant and blighted properties; the stabilization of existing structures; and the construction of houses, either by the City directly or through the use of public-private partnerships; and, the sale of said properties will serve a public purpose by returning under-utilized land to productive use, leverage ongoing capital investments, and providing housing; and,

WHEREAS, the City finds this Pilot Project to be beneficial to the people of the City to such an extent as to fully warrant. and justify the appropriation of City funding and support contemplated herein; and,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Enterprise Account for the City of Mobile Housing Improvement Plan is hereby established at an initial level of \$1,000,000.00 and that the process by which expenditures from said Enterprise Account are subject to include: City Council interaction to assist administrative staff in assessing need and location for the fund followed by City Council updates prior to fund expenditures, but after proposal and/or design completion for specific projects. Should any City Councilor recommend and it be finalized that other funds designated for specific City Council districts be utilized to enhance the Housing Improvement Plan Enterprise Fund balance, the Executive Branch of the City of Mobile is authorized to enter into a Memorandum of Understanding, a Project Program, or other similar coordinating document, with the elected representative of the City Council district of which the funding is designated for prior to finalization of fund transfer to establish projected scopes, locations, and timelines. Such coordinating document shall include consultation and verification of legislative intent with the Office of the Councilor for which any district specific funds derive. This consultation and verification shall include final project selection and bid tabulations. Any net revenue generated from specific City Council district funds shall be kept separate within the fund and used only for the district it was originally designated for, unless otherwise approved by future City Council action.

BE IT FURTHER RESOLVED that the Mayor, or his designee, is authorized to utilize the Housing Improvement Plan Enterprise Fund to create and administer a comprehensive program to redevelop neighborhoods for the end purpose of providing additional affordable and/or workforce units of housing within the City of Mobile. This authorization extends to the additional hiring of personnel within the Neighborhood Development Department to administer this program. The Mayor; or his designee, is further authorized to acquire and dispose of land and/or execute Subrecipient Agreement, Conditional Commitment Letters, Developer Agreements, Administrative Agreements, Loan Agreements, and associated security documents on behalf of the City for the purpose described for the Fund.

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The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory, following comments from Councilmember Carroll the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE CONTRACT WITH QUADIENT, INC. FOR POSTAGE METER LEASE FOR MAILROOM. The following resolution, which was introduced and read at the regular meeting of September 17, 2024, and held over until the regular meeting of September 24, 2024, was called up by the Presiding Officer.

RESOLUTION: 21-903-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and Quadient, Inc., for leasing of postage-meter equipment, in a total amount of \$30,971.16, plus additional supplies not to exceed \$10,000.00, plus postage as required, as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the Office of the City Clerk.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

GRANT A PERMANENT SIDEWALK AND PERMANENT UTILITY EASEMENT AGREEMENT FOR N. MCGREGOR, OLD SHELL ROAD TO SPRINGHILL AVENUE. The following resolution, which was introduced and read at the regular meeting of September 17, 2024, and held over until the regular meeting of September 24, 2024, was called up by the Presiding Officer.

RESOLUTION: 25-904-2024

Sponsored by: Councilmember Gregory and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a municipal corporation, a Permanent Sidewalk and Permanent Utility Easement Agreement between S and E Properties LLC, a limited liability company and the City of Mobile, a municipal corporation, and the Board of Water and Sewer Commissioners of the City of Mobile, a public corporation of the State of Alabama, in the amount of Twenty Seven Thousand Six Hundred Thirty Five Dollars (\$27,635.00) for the project 2018 PAYGO, North McGregor, Old Shell Road to Springhill Ave.

BE IT FURTHER RESOLVED THAT:

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SAID document being attached hereto and made a part hereof as though fully set forth herein, and copies will be on file in the office of the City Clerk and in the office of the Real Estate Department of the City of Mobile.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE THE MAYOR TO APPLY, ACCEPT, AND RECEIVE A GRANT FROM THE ALABAMA DEPARTMENT OF TRANSPORTATION (ALDOT) FOR THE HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) (10% MATCH REQUIRED; \$1,000,000.00). The following resolution, which was introduced and read at the regular meeting of September 17, 2024, and held over until the regular meeting of September 24, 2024, was called up by the Presiding Officer.

RESOLUTION: 31-905-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept and receive from the Alabama Department of Transportation (ALDOT) grant assistance in the amount of \$1,000,000.00 in support of the Highway Safety Improvement Program (HSIP) Grant. There is a 10% match requirement.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said grant if offered and to sign any agreements or other documents in connection with the grant application and to provide any information required by the Alabama Department of Transportation (ALDOT). Any agreements for grant assistance, together with the exhibits, shall be filed with the City Clerk after award and execution.

BE IT FURTHER RESOLVED that the Council authorizes the expenditure of \$100,000.00 in matching funds in the event this grant is received in full.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF ORDINANCES BEING INTRODUCED FOR THE FIRST TIME. Councilmember Gregory moved for the suspension of the rules to consider Ordinance 64-053 being introduced for the first time. The motion was seconded by Councilmember Woods, and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the item.

ORDINANCES BEING INTRODUCED

CONSIDER PRE-ZONING OF PROPERTY LOCATED AT 4589 HERMITAGE AVENUE AND 5340 U.S. HIGHWAY 90 WEST TO B-3. The following resolution was introduced by Councilmember Gregory.

ORDINANCE: 64-053-2024

Sponsored by: Councilmember Reynolds

AN ORDINANCE AMENDING THE ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF MOBILE ON THE 12TH DAY OF JULY, 2022, SAID ORDINANCE BEING COMMONLY KNOWN AS THE UNIFIED DEVELOPMENT CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE AS FOLLOWS:

Section One: That the Ordinance commonly known as the Unified Development Code and adopted on July 12, 2022, together with the Zoning Map of the City of Mobile, be, and the same hereby is amended in respect to that certain property in the City of Mobile, State of Alabama, described as follows to-wit:

THE WESTERN PORTION OF LOTS 6 & 7, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 5, PAGES 295-300 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA AND THE WESTERN PORTION OF LOT 1, RESUBDIVISION OF LOT 8 AND A PORTION OF LOT 9, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 113, PAGE 77 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA;

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CAPPED REBAR (POLY) AT THE SOUTHWEST CORNER OF LOT 1, RESUBDIVISION OF LOT 8 AND A PORTION OF LOT 9, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 113, PAGE 77 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN NORTH 89°-56'-02" EAST ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 177.47 FEET TO A CAPPED REBAR (POLY) AT THE NORTHWEST CORNER OF LOT 2 OF SAID RESUBDIVISION OF LOT 8 AND A PORTION OF LOT 9, BLOCK 1, SUBURBAN GARDENS; THENCE RUN NORTH 00°-58'-21" EAST A DISTANCE OF 299.53 FEET TO THE NORTH LINE OF LOT 6, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 5, PAGES 295-300 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN SOUTH 89°-55'-33" WEST ALONG THE NORTH LINE OF SAID LOT 6 A DISTANCE OF 126.31 FEET TO A 60d NAIL IN A ROOT; THENCE RUN SOUTH 89°-55'-49" WEST ALONG THE NORTH LINE OF SAID LOT 6 A DISTANCE OF 199.76 FEET TO AN OPEN TOP PIPE AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE RUN SOUTH 00°-05'-56" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF HERMITAGE AVENUE (50' R/W) AND ALONG THE WEST LINE OF SAID LOT 6 AND ALONG THE WEST LINE OF LOT 7, BLOCK 1 OF SAID SUBURBAN GARDENS A DISTANCE OF 199.86 FEET TO A CAPPED REBAR (POLY) AT THE SOUTHWEST CORNER OF SAID LOT 7; THENCE RUN NORTH 89°-53'-32" EAST ALONG THE SOUTH LINE OF SAID LOT 7 A DISTANCE OF 143.23 FEET TO A CAPPED REBAR (POLY) AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE RUN SOUTH 00°-02'-00" WEST ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 99.68 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 1.90 ACRES, MORE OR LESS.

The classification of said property is hereby changed to B-3, Community Business Suburban District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of July 12, 2022, commonly known as the Unified Development Code and to use said premises for any use permitted by the terms of said Ordinance in a B-3, Community Business Suburban District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be

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approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Unified Development Code of July 12, 2022, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a B-3, Community Business Suburban District, until all of the conditions set forth below have been complied with: 1. Compliance with Traffic Engineering comments noted in the staff report, amended as follows: There is an existing traffic impact study for this site that was previously required by ALDOT. The improvements shown in the traffic impact study will be required. Speak to ALDOT, City of Mobile, and Mobile County about any additional requirements. Traffic control will need to be added for where the one-way section around the building shown on the site plan meets the two-way section. Driveway number, size, location, and design to be approved by City of Mobile Traffic Engineering, ALDOT (where applicable), and Mobile County (where applicable) and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Article 3, Section 64-3-12 of the City's Unified Development Code. 2. Full compliance with the Subdivision Regulations and all municipal codes and ordinances.

Section Two: This Ordinance shall become effective upon the date that the aforesaid described property is annexed into the corporate limits of the City of Mobile and shall thereafter be in force and effect from and after its adoption and publication; provided that it shall be null and void as to any portion of the aforesaid described property that is not annexed into the corporate limits of the City of Mobile within 180 days of the initiation of annexation proceedings as provided by law.

The ordinance was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the ordinance, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the ordinance adopted.

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF CONSENT RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME. Councilmember Gregory moved for the suspension of the rules to consider consent resolutions 03-906 through 37-932 being introduced for the first time. The motion was seconded by Councilmember Woods, and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The Presiding Officer declared unanimous consent granted for the item.

CONSENT RESOLUTIONS BEING INTRODUCED

APPOINT ZACHARY MOORE TO THE MOBILE MUSEUM OF ART BOARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-906-2024

Sponsored by: Councilmember Woods

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to City of Mobile Code of Ordinances, Chapter 15, Article V, Sections 15-131 and 15-132, Zachary Moore is appointed to the Mobile Museum of Art Board for a three-year term beginning October 1, 2024 and expiring on October 1, 2027.

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The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE THE MAYOR TO APPLY, ACCEPT, AND RECEIVE FUNDING FROM THE INSTITUTE OF MUSEUM AND LIBRARY SERVICES FOR THEIR INSPIRE! GRANT; \$25,000.00 (NO LOCAL MATCH). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 31-907-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept and receive from the Institute of Museum & Library Services an Inspire! Grant for Small Museums grant in the amount of \$25,000 to create a permanent exhibit about the Alabama Deep Sea Fishing Rodeo at the National Maritime Museum of the Gulf of Mexico. No match is required for this grant.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said allocation and to sign any agreements or other documents in connection with this grant application and to provide any information required by the Institute of Museum & Library Services. Any agreements for grant assistance, together with exhibits, shall be filed with the City Clerk after award and execution.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE THE MAYOR TO APPLY, ACCEPT, AND RECEIVE GRANT FUNDS FROM THE BUREAU OF JUSTICE ASSISTANCE FOR THE FY24 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (NO LOCAL MATCH REQUIRED); \$219,497.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 31-908-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept, and receive a Notice of Award and Memorandum of Agreement for grant assistance in the amount of \$219,497.00 from the Bureau of Justice Assistance for the FY 2024 Edward Byrne Memorial Justice Assistance Grant (JAG). Funds from the Alabama Local JAG Joint Allocation will be shared between disparate jurisdictions which include the City of Mobile, and Mobile County. There is no local match requirement.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said grant if offered and to sign any agreements or other documents in connection with the grant application and to provide any information required by the U.S. Department of Justice

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or Bureau of Justice Assistance. The Memorandum of Agreement for grant assistance, together with the exhibits, shall be filed with the City Clerk after award and execution.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE REMOVAL OF WEEDS, GROUP 1659. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-909-2024

A RESOLUTION DETERMINING WHAT OBJECTIONS SHALL BE ALLOWED AND WHAT OBJECTIONS SHALL BE OVERRULED TO THE REMOVAL OF NOXIOUS OR DANGEROUS WEEDS ON OR IN FRONT OF CERTAIN PARCELS OF LAND.

WHEREAS, notice has been duly given and posted at least five days prior to the date of this resolution in the manner provided by law offering full opportunity to all interested parties to object to the removal of noxious or dangerous weeds on the hereinafter described parcels of land, and the City Council of Mobile having held such public hearing in connection with the notices given and no objections having been filed or made by any of the interested parties; and

WHEREAS, Parcels Nos. 1 through 21 described in the resolution adopted on the 13th day of August, 2024, have not been cleared of noxious and dangerous weeds and continue to be public nuisances.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, as follows:

SECTION 1. It is hereby ascertained and determined that the dangerous and noxious weeds growing on the hereinafter described parcels of real property are public nuisances, and it is hereby ordered and directed that the employees of the City of Mobile assigned to that work promptly remove the weeds on such parcels of property:

PARCELS OR PIECES OF PROPERTY ON WHICH NOXIOUS OR DANGEROUS WEEDS ARE TO BE REMOVED:

Parcels of real property located in the City of Mobile and more particularly described as Parcels Nos. 1 through 21, as described in the resolution adopted on the 13th day of August, 2024, and entitled: "A RESOLUTION DECLARING WEEDS GROWING UPON THE STREETS OR SIDEWALKS AND UPON PRIVATE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF MOBILE TO BE NOXIOUS OR DANGEROUS AND TO BE PUBLIC NUISANCES AND PROVIDING FOR THE ABATEMENT OF SUCH NUISANCES."

(Lot Cleaning Liens, Group No.1659 on file in the office of the City Clerk).

SECTION 2. The employees of the City of Mobile assigned to the work required by this resolution are hereby expressly authorized to enter upon such described pieces of property for the purpose of removing the weeds authorized by this resolution to be removed. The owner of any of the above- described pieces of property shall have the right to remove the weeds ordered by this resolution to be removed from this property provided such removal is done prior to the arrival of the employees of the City of Mobile against his property by reason of any action taken hereunder. An accurate account of the costs with respect to each piece of property shall be kept by the employees of the City of Mobile

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covering the costs of removing such weeds in front of or in front of or on each separate lot or parcel of land where the work is done by the City of Mobile or its employees, and promptly thereafter an itemized report in writing shall be made to the City Council showing such costs with respect to each separate lot or parcel of land but before the report is submitted to the City Council a copy of the itemized costs with respect to each such lot or parcel of land shall be posted for at least three days prior to such report on the door of the Council Chamber at the City Hall of Mobile, Alabama, together with a notice of the time when the report will be submitted to the City Council for confirmation.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO COVENANT ACADEMY OF MOBILE SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-910-2024

Sponsored by: Mayor Stimpson

WHEREAS, Mayor Stimpson wishes to appropriate **\$2,500.00** to Covenant Academy of Mobile, from their discretionary funds; and

WHEREAS, Covenant Academy of Mobile, is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Covenant Academy of Mobile, will be used to assist with educational programs for youth within the community.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$2,500.00** to Covenant Academy of Mobile , for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO 100 BLACK MEN GREATER MOBILE, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

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RESOLUTION: 60-911-2024

Sponsored by: Mayor Stimpson

WHEREAS, Mayor Stimpson wishes to appropriate **\$1,500.00** to 100 Black Men Greater Mobile, Inc., from their discretionary funds; and

WHEREAS, 100 Black Men Greater Mobile, Inc., is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to 100 Black Men Greater Mobile, Inc., will be used to assist with the mentoring program for youth within the community.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$1,500.00** to 100 Black Men Greater Mobile, Inc., for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO THE NEST CORPORATION, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-912-2024

Sponsored by: Mayor Stimpson

WHEREAS, Mayor Stimpson wishes to appropriate **\$2,500.00** to THE NEST CORPORATION, INC., from their discretionary funds; and

WHEREAS, THE NEST CORPORATION, INC., is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to THE NEST CORPORATION, INC., will be used to assist with services provided for at-risk youth and families in the community.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$2,500.00** to THE NEST CORPORATION, INC. , for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard

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form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO MOBILE VETERANS' TREATMENT COURT SUPPORT, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-913-2024

Sponsored by: Mayor Stimpson

WHEREAS, Mayor Stimpson wishes to appropriate **\$2,500.00** to Mobile Veterans Treatment Court Support, Inc., from their discretionary funds; and

WHEREAS, Mobile Veterans Treatment Court Support, Inc., is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Mobile Veterans Treatment Court Support, Inc., will be used to assist in addressing veteran mental health and substance issues reducing recidivism.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$2,500.00** to Mobile Veterans Treatment Court Support, Inc., for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO MOBILE AREA EDUCATION FOUNDATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-914-2024

Sponsored by: Mayor Stimpson

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WHEREAS, Mayor Stimpson wishes to appropriate **\$2,500.00** to Mobile Area Education Foundation, from their discretionary funds; and

WHEREAS, Mobile Area Education Foundation, is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Mobile Area Education Foundation., will be used to assist with educational services provided to at-risk youth, grades 6-12 within the community.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$2,500.00** to Mobile Area Education Foundation, for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO WOMEN'S RESOURCE CENTER SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-915-2024

Sponsored by: Mayor Stimpson

WHEREAS, Mayor Stimpson wishes to appropriate **\$5,000.00** to Women's Resource Center, from their discretionary funds; and

WHEREAS, Women's Resource Center, is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Women's Resource Center., will be used to assist with the needs and services provided to the community.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$5,000.00** to Women's Resource Center, for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE AWARD OF SPECIAL BONUS TO THE PUBLIC WORKS EMPLOYEE OF THE MONTH; DUNN. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-916-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, upon nomination by City Supervisors, recommends to the City Council that it authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, of \$500 to the following employee:

September 2024 – Britney Dunn (Employee # 18510) Public Works (Public Services Maintenance)

This employee is to be commended for her exemplary work performance or innovations that significantly reduce costs or results in an outstanding improvement in service to the public.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE AWARD OF SPECIAL BONUS TO THE ADMINISTRATIVE SERVICES EMPLOYEE OF THE MONTH; SCHMAELING. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-917-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, upon nomination by City Supervisors, recommends to the City Council that it authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, of \$500 to the following employee:

AUGUST 2024 – JONATHAN SCHMAELING (Employee #20745) Administrative Services Animal Services Department - Animal Control Officer I

This employee is to be commended for her exemplary work performance or innovations that significantly reduce costs or results in an outstanding improvement in service to the public.

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The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE AWARD OF SPECIAL BONUS TO THE CITY CLERK’S OFFICE EMPLOYEE OF THE MONTH; BURROW. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-918-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, upon nomination by City Supervisors, recommends to the City Council that it authorize awards, pursuant to Section 11-40-22, Code of Alabama 1975, of \$500.00 to the following employee:

Martin Burrow (September 2024) (Employee# 15898) City Clerk’s Office

This employee is to be commended for her exemplary work performance or innovations that significantly reduce costs for results in an outstanding improvement in service to the public.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A SPECIAL EVENTS RETAIL LICENSE TO EL JEFE HOUSE OF CIGARS; 1621 VIRGINIA STREET. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-932-2024

Sponsored by: Councilmember Carroll

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the following application to the Alabama Alcoholic Beverage Control Board of the State of Alabama, is hereby recommended for grant of such license by said Board.

Type of application: Special Events Retail License

Submitted by: EL JEFE HOUSE OF CIGARS, LLP

Location: EL JEFE HOUSE OF CIGARS
1621 Virginia Street
Mobile, Al 36604

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The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

RESOLUTIONS BEING INTRODUCED

AUTHORIZE AGREEMENT WITH HARRIS CONTRACTING SERVICES, INC. FOR ELECTRICAL SERVICE UPGRADE & GENERATOR INSTALLATION AT THE PUBLIC WORKS COMPLEX; \$178,400.00. The following resolution was held over until the regular meeting of October 1, 2024.

RESOLUTION: 01-919-2024

Sponsored by: Councilmember Small and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement, by and between the City of Mobile, and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of Company: Harris Contracting Services, Inc.

Project Name: Public Works Complex – Sanitation Service Upgrade & Generator Installation

Project Number: PW-069-22

Amount: \$178, 400.00

AUTHORIZE AGREEMENT WITH THE STATE OF ALABAMA FOR PARTICIPATION IN THE FY 2022 STATE AND LOCAL CYBERSECURITY GRANT PROGRAM. The following resolution was held over until the regular meeting of October 1, 2024.

RESOLUTION: 01-920-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement for grant participation with the State of Alabama for the FY 2022 State and Local Cybersecurity Grant Program as outlined in the agreement attached hereto and made a part hereof as though set forth in full.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept any grant funds, if offered, and to sign any agreements or other documents in connection with the State of Alabama State and Local Cybersecurity Grant Program and to provide any information required by the State of Alabama Cybersecurity Program. Any agreements for grant assistance, together with the exhibits, shall be filed with the City Clerk after award and execution.

AUTHORIZE PROJECT DEVELOPMENT AGREEMENT WITH MOBILE COUNTY, INDUSTRIAL PARK BOARD OF MOBILE COUNTY, AND SCANNELL PROPERTIES;

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NTE \$2,000,000.00. The following resolution was held over until the regular meeting of October 1, 2024.

RESOLUTION: 01-932-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, the Project Development Agreement by and among the City of Mobile, Mobile County, The Industrial Park Board of Mobile County, and Scannell Properties #727, LLC, in an amount not to exceed \$2,000,000, and to perform all acts necessary in connection with the Project Development Agreement, as outlined in the agreement attached hereto and made a part hereof as though set forth in full herein. A copy of said agreement is on file in the office of the City Clerk.

APPROVE PURCHASE ORDER TO SANSOM EQUIPMENT COMPANY INC. FOR AUTOMATED SIDE-LOAD GARBAGE TRUCK FOR PUBLIC SERVICES; \$403,759.71.
The following resolution was held over until the regular meeting of October 1, 2024.

RESOLUTION: 08-921-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>12699</u>	2024	(F7000) MOTOR POOL	AUTOMATED SIDE-LOAD GARBAGE TRUCK FOR PUBLIC SERVICES (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT))	\$403,759.71	<u>(190715)</u> <u>SANSOM</u> <u>EQUIPMENT CO</u> <u>INC</u>

APPROVE PURCHASE ORDER TO HALLS MOTORSPORTS FOR UTILITY VEHICLE FOR ANIMAL SERVICES; \$22,999.00. The following resolution was held over until the regular meeting of October 1, 2024.

RESOLUTION: 08-922-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>11841</u>	2024	(1546) ANIMAL SHELTER	2025 POLARIS RANGER CREW XP 1000 UTLITY VEHICLE FOR ANIMAL SERVICES (PRICE BELOW BID REQUIREMENT; PRICE QUOTE)	\$22,999.00	<u>(080561) HALLS MOTORSPORTS</u>

APPROVE PURCHASE ORDER TO CAIN’S TREE & LANDSCAPE, INC. TO REMOVE TREE HAZARDS ON OLD SHELL ROAD; \$41,900.00. The following resolution was held over until the regular meeting of October 1, 2024.

RESOLUTION: 08-923-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>13725</u>	2024	(2018) FORESTRY	REMOVE 27 TREE HAZARDS ON OLD SHELL ROAD FROM BATRE LANE TO MYRTLEWOOD LANE (SEALED BID 5898)	\$41,900.00	<u>(296252) CAIN’S TREE & LANDSCAPE, INC</u>

APPROVE PURCHASE ORDER TO CAIN’S TREE & LANDSCAPE, INC. TO PRUNE AND REMOVE TREES ON COTTAGE HILL ROAD; \$132,000.00. The following resolution was held over until the regular meeting of October 1, 2024.

RESOLUTION: 08-924-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>14800</u>	2024	(2018) FORESTRY	PRUNE AND REMOVE TREES ON COTTAGE HILL ROAD FROM GRANT STREET TO CITY LIMITS (SEALED BID 5897)	\$132,000.00	<u>(296252) CAIN’S TREE & LANDSCAPE, INC</u>

MINUTES OF SEPTEMBER 24, 2024

APPROVE PURCHASE ORDER TO CHRIS FRANCIS TREE CARE TO PRUNE AND REMOVE TREES ON SPRINGHILL AVENUE; \$351,540.00.

The following resolution was held over until the regular meeting of October 1, 2024.

RESOLUTION: 08-925-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>14799</u>	2024	(2018) FORESTRY	PRUNE AND REMOVE TREES ON SPRINGHILL AVENUE FROM DAUPHIN STREET TO ZIEGLER BLVD/FOREST HILL DRIVE INTERSECTION (SEALED BID 5897)	\$351,540.00	<u>(296256) CHRIS FRANCIS TREE CARE</u>

APPROVE PURCHASE ORDER TO PRIORITY DISPATCH CORPORATION FOR ANNUAL RENEWAL OF EMERGENCY DISPATCH QUALITY ASSURANCE SOFTWARE FOR MFRD; \$35,560.00.

The following resolution was held over until the regular meeting of October 1, 2024.

RESOLUTION: 08-926-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>14770</u>	2024	(1510) FIRE ADMINISTRATION	ANNUAL RENEWAL OF PRIORITY DISPATCH Q PLUS EXPERT EMERGENCY DISPATCH QUALITY ASSURANCE SOFTWARE AND SUPPORT FOR MFRD (BID EXEMPT AS SOFTWARE)	\$35,560.00	<u>(275228) PRIORITY DISPATCH CORP</u>

AUTHORIZE FY2025 REBUILD ALAMABA ALLOCATION; \$1,300,000.00.

The following resolution was held over until the regular meeting of October 1, 2024.

RESOLUTION: 09-927-2024

Sponsored by: Mayor Stimpson

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$1,300,000.00 be appropriated in the Rebuild Alabama Special Revenue Fund (Fund 4055) for the following Capital Project.

New TIGER/Dr. MLK Jr Ave./Broad St. \$1,300,000.00

AUTHORIZE THE MAYOR TO APPLY, ACCEPT, AND RECEIVE GRANT FUNDS FROM THE ALABAMA DEPARTMENT OF TRANSPORTATION FOR THE HIGHWAY SAFETY IMPROVEMENT PROGRAM; \$3,000,000.00 (A 10% LOCAL MATCH IS REQUIRED). The following resolution was held over until the regular meeting of October 1, 2024.

RESOLUTION: 31-928-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept and receive from the ALDOT Highway Safety Improvement Program (HSIP) a grant in the amount of \$3,000,000.00 to support the addition of paved shoulders along Halls Mill Road. A 10% local match (\$300,000.00) is required for this grant. Those funds will come from Mobile County Pay-Go (2018 Group B).

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said funding and to sign any agreements or other documents in connection with this grant application and to provide any information required by ALDOT. Any agreements for grant assistance, together with exhibits, shall be filed with the City Clerk after award and execution.

BE IT FURTHER RESOLVED that the Council authorizes the use and expenditure of Pay-GO funds in the amount of \$300,000.00 to be used as a match if the grant is awarded in full.

APPROVE TEFRA BOND FINANCING FOR MULTIFAMILY RESIDENTIAL RENTAL DEVELOPMENT LOCATED AT 2001 BRILL ROAD. The following resolution was held over until the regular meeting of October 1, 2024.

RESOLUTION: 50-929-2024

Sponsored by: Councilmember Small

A RESOLUTION APPROVING, SOLELY FOR PURPOSES OF SECTION 147(F) OF THE INTERNAL REVENUE CODE AND THE WISCONSIN INTERLOCAL COOPERATION PROVISION (AS DEFINED BELOW), THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE AND REFUNDING BONDS BY THE PUBLIC FINANCE AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$235,000,000; RECOGNIZING THAT THE CITY OF MOBILE, ALABAMA IS NOT RESPONSIBLE FOR ISSUING THE MULTIFAMILY HOUSING REVENUE AND REFUNDING BONDS AND HAS NO FINANCIAL OBLIGATION TO PAY ANY PRINCIPAL OF OR INTEREST ON THE MULTIFAMILY HOUSING REVENUE AND REFUNDING BONDS; MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Mobile, Alabama (the "City") is a duly organized and validly existing municipal corporation under the laws -and Constitution of the State of Alabama (the "State"); and

WHEREAS, Public Finance Authority (the "Issuer") is a commission organized under and pursuant to the provisions of Sections 66.0301, 66.0303 and 66.0304 of the Wisconsin Statutes, as amended; and

WHEREAS, the Borrowers and the Sole Member, each as defined below, have asked the Issuer to issue tax-exempt bonds, in one or more series under a plan of financing, as

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"qualified 501(c)(3) bonds" (as defined in section 145 of the Internal Revenue Code of 1986, as amended (the "Code")) in an aggregate maximum stated principal amount not to exceed \$235,000,000 (the "Bonds") for the purpose of providing funds to finance and/or refinance the Projects, as defined below, and the Issuer has granted such request; and

WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, tax exempt bonds, such as the Bonds, issued by the Issuer in one or more series to finance and/or refinance the acquisition, renovation and equipping of residential rental facilities for individuals and families of low and moderate income located in the State of Alabama, the State of Florida, the Commonwealth of Kentucky, the State of Nevada and the State of West Virginia, as more specifically identified on Exhibit A attached hereto (each a "Project" and collectively the "Projects"), which will be owned by the borrowers identified in Exhibit A, attached hereto (collectively, the "Borrowers"), the sole member of each of which is Patriot Services Group, Inc., a Florida not for profit corporation and an organization exempt from federal income tax by virtue of being an organization described in Section 501(c)(3) of the Code (the "Sole Member"), must be approved by the applicable elected representative (as defined under Section 1.147(f)-I of the U.S. Treasury Regulations) of the governmental unit within whose boundaries each Project is to be located; and

WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, tax exempt bonds, such as the Bonds, issued by the Issuer in one or more series to finance and/or refinance the acquisition, renovation and equipping of residential rental facilities for individuals and families of low and moderate income located in the State of Alabama, the State of Florida, the Commonwealth of Kentucky, the State of Nevada and the State of West Virginia, as more specifically identified on Exhibit A attached hereto (each a "Project" and collectively the "Projects"), which will be owned by the borrowers identified in Exhibit A, attached hereto (collectively, the "Borrowers"), the sole member of each of which is Patriot Services Group, Inc., a Florida not for profit corporation and an organization exempt from federal income tax by virtue of being an organization described in Section 501(c)(3) of the Code (the "Sole Member"), must be approved by the applicable elected representative (as defined under Section 1.147(f)-I of the U.S. Treasury Regulations) of the governmental unit within whose boundaries each Project is to be located; and

WHEREAS, in order to issue the Bonds to finance and/or refinance the Mobile, Alabama Project (as defined below), the Issuer requires, pursuant to Section 66.0304(11)(a) of the Wisconsin Statutes, prior to their issuance, bonds issued by the Issuer must be approved by the governing body or highest ranking executive or administrator of the political jurisdiction within whose boundaries the project is to be located (the "Wisconsin Interlocal Cooperation Provision"); and

WHEREAS, Sunset on the Bayou 2021 LLC, an Alabama limited liability company (the "Mobile, Alabama Borrower"), has requested that the City approve the financing and/or refinancing of the Sunset

on the Bayou Project described in Exhibit A, which is located within the corporate limits of Mobile, Alabama (the "Mobile, Alabama Project"), and the issuance of the Bonds (with up to a maximum amount of \$12,552,645 of which will be allocable to the Mobile, Alabama Project) in order to satisfy the requirements of Section 147(f) of the Code, Section 4 of the Amended and Restated Joint Exercise of Powers Agreement Relating to the Public Finance Authority, dated as of September 28, 2010 (the "Joint Exercise Agreement"), and the Wisconsin Interlocal Cooperation Provision; and proceeds from the sale of the Bonds will be loaned to the Borrowers; and

WHEREAS, the Bonds will be payable solely from revenues of the Borrowers, and the City will have no obligation whatsoever for the payment of the Bonds and the Bonds will not constitute an indebtedness or an obligation of the City within the meaning of any constitutional or statutory debt limitation, or a charge against the general credit or taxing powers of the City; and

WHEREAS, as a prerequisite for the issuance of the Bonds by the Issuer, a public hearing was held by a representative of the Issuer (the "Hearing Officer") on behalf of the City

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Council, as the governing body of the City, on September 18, 2024 (the "Hearing"),' after publication in the Lagniappe on September 25, 2024, at which members of the public were offered an opportunity to express their views with respect to the issuance of the Bonds, as described in the Public Hearing Officer Certificate, attached hereto as Exhibit !! (the "Public Hearing Officer Certificate"); and

WHEREAS, the Public Hearing Officer Certificate indicates said public hearing disclosed no compelling reason why the Bonds should not be issued.

NOW, THEREFORE, BE IT RESOLVED by the City Council (the "Council") of the City of Mobile, Alabama, as follows:

SECTION 1. The Council hereby finds, determines and declares as follows:

A. The findings set forth in the preamble of this Resolution are incorporated by reference into the body of this Resolution as if fully set forth herein.

B. The Council has considered any views expressed, whether in writing or at the Hearing, prior to consideration of this Resolution.

C. The Council is the elected legislative body of the City, and the City has jurisdiction over the entire area in which the Mobile, Alabama Project is located.

SECTION 2. The City Council hereby: (i) accepts the service of the Hearing Officer and the Public Hearing Officer Certificate; and (ii) approves the issuance of the Bonds in the maximum aggregate principal amount of \$235,000,000 (with up to a maximum amount of \$12,552,645 of which will be allocable to the Mobile, Alabama Project) by the Issuer for financing and/or refinancing of the Projects, including the Mobile, Alabama Project. It is the purpose and intent of the City that this Resolution constitutes approval by the City of Mobile, Alabama, for purposes of meeting the requirements of Section 147(f) of the Code of the issuance of the Bonds and the facilities to be financed and/or refinanced thereby and the City of Mobile, Alabama is one of the governmental unit(s) having jurisdiction over the area in which the Mobile, Alabama Project is located.

SECTION 3. For the purposes of the Wisconsin Interlocal Cooperation Provision and Section 4 of the Joint Exercise Agreement, the City Council authorizes the Issuer to issue the Bonds in the maximum aggregate principal amount of \$235,000,000 (with up to a maximum amount of \$12,552,645 of which will be allocable to the Mobile, Alabama Project) and to loan the proceeds thereof to the Borrowers to finance or refinance the Projects, including the Mobile, Alabama Project. The Issuer is hereby authorized to exercise all powers relating to the issuance of the Bonds vested in the City Council pursuant to the Constitution and the laws of the State and to do all things within the jurisdiction of the City which are necessary or convenient for the issuance of the Bonds and the financing and/or refinancing of the Mobile, Alabama Project to the same extent as if the City were issuing its own obligations for such purposes without any further authorization from the City to exercise such powers or to take such actions.

SECTION 4. The City shall have no liabilities for the payment of the Bonds or for any undertaking with respect thereto nor shall any of its assets be pledged to payment of the Bonds.

SECTION 5. This approval is not to be construed as (i) a representation or warranty by the City or the undersigned that the Bonds will be paid or that any obligations assumed by any of the parties will, in fact, be performed, (ii) a pledge of the faith and credit of or by the City. Further, the fact that the City has approved the Bonds as required by the Code, the Wisconsin Interlocal Cooperation Provision and Section 4 of the Joint Exercise Agreement, may not, in any event, be used as a sales device with respect to the Bonds, or (iii) a representation or warranty by the City concerning the validity of the Bonds.

SECTION 6. This Resolution shall become effective immediately, upon its passage.

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REQUEST THAT THE PLANNING COMMISSION CONSIDER THE REZONING OF LOT 6 OF TODD ACRES, INDUSTRIAL PARK SUBDIVISION. The following resolution was held over until the regular meeting of October 1, 2024.

RESOLUTION: 60-930-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Council does hereby request that the Planning Commission consider rezoning Lot 6 of Todd Acres Industrial Park Subdivision from B-5, Office Distribution, to R-1, Single-Family Residential, and make a recommendation to the Council.

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO CONSIDER ASSENTING TO THE VACATION OF AN ALLEY ADJACENT TO PROPERTY LOCATED AT 1001-1003 OAK STREET (SCHEDULED FOR OCTOBER 29, 2024) (DISTRICT 2). The following resolution was held over until the regular meeting of October 1, 2024.

RESOLUTION: 41-931-2024

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed resolution is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed resolution.

NOTICE OF HEARING TO CONSIDER VACATION OF AN ALLEY ADJACENT TO PROPERTY LOCATED AT 1001-1003 OAK STREET

Notice is hereby given that the Mobile City Council proposes to consider adoption of a resolution assenting to the vacation of an alley adjacent to property located at 1001-1003 Oak Street.

The adoption of such resolution will be considered by the Mobile City Council on the 29th day of October 2024, at 10:30 a.m., in the Mobile Government Plaza Auditorium, 205 Government Street.

Any citizen alleging to be affected by the proposed vacation may submit a written objection or may speak at the public hearing.

WHEREAS, Michael Heath Stephens, Daniel L. McCleave, Nicki Patterson, Michael Laughlin and Caroline Wilson (the "Owners"), as owners of all the land abutting and affected by the alley as more particularly described on Exhibit "A" which is attached hereto and incorporated herein by reference, have petitioned to the Mobile City Council to assent to the vacation by them as abutting and affected property owners of the alley; and

WHEREAS, it is the intention of Owners, that upon said vacation, Owners will own all of the alley and will own all remaining interest in the vacated alley; and

NOW, THEREFORE, BE IT RESOLVED, by the Mobile City Council, that its assent be and hereby is given to the vacating of the alley which is described on Exhibit "A", provided that the procedure for vacation shall be in strict compliance with the law, and further subject to the following: (a) an easement be excepted from this vacation and be retained in favor of Mobile Area Water and Sewer System to operate and maintain existing facilities until they are either relocated or abandoned; and (b) AT&T Alabama are reserved all rights and privileges necessary and convenient for full enjoyment of use of its facilities within and adjacent to the area to be vacated; including the right of ingress and egress to and from said facilities, the right to cut and/or trim trees/limbs which, in their sole opinion would

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interfere with said facilities, and the right to prohibit use of the land vacated in a manner which violates the National Electric Safety Code.

The City Clerk of Mobile is hereby authorized, empowered and directed to certify a true copy of this resolution and attach such certified copy to the written declaration of vacation of the alley and to deliver said documents to Owners, the owners of the real property abutting said alley, hereby vacated.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to call for the public hearing, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as October 29, 2024.

ANNOUNCEMENTS

Councilmember Carroll gave comments supporting Haitian immigrants.

Councilmember Woods said that a District 6 community meeting will be held tonight at 6:00 p.m. at the Connie Hudson Senior Center.

Councilmember Woods shared that he wants to find solutions to problems affecting citizens.

Councilmember Reynolds offered comments about Resolution 60-930.

Councilmember Penn commented about hearing, listening, and respecting one another during Council meetings.

Councilmember Penn reminded citizens that a District 3 community meeting will be held on October 22, 2024 at the Dotch Community Center.

Councilmember Gregory stated that a Public Safety Committee meeting will be held at 1:00 p.m. today.

Councilmember Small announced that a community meeting will be held on September 26, 2024 at 6:00 p.m. at Taylor Park

Councilmember Reynolds moved to adjourn the meeting, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 11:53 a.m.

Adopted:

COUNCIL PRESIDENT

ASSISTANT CITY CLERK